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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

KATHLEEN L. GARCIA,

Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
COMPANY,

Defendant.

CASE NO. 1:24-CV-00166-JLT-SKO

**STIPULATION FOR A REQUEST TO
CONTINUE TRIAL BRIEFING
SCHEDULE AND MODIFY SCHEDULING
ORDER (DOC 14); ORDER ON
STIPULATION**

(Doc. 18)

Plaintiff, KATHLEEN L. GARCIA (“Garcia”) and Defendants METROPOLITAN LIFE
INSURANCE COMPANY (“Defendants”) by and through their respective counsel of record,
hereby agree and stipulate to the following:

WHEREAS, on May 7, 2024, the Court issued its Scheduling Order and Setting Trial
Brief Deadlines (“Scheduling Order”) (Doc. 14).

WHEREAS, the Court's Scheduling Order (Doc. 14), set the following relevant dates:

Deadline to for the parties to jointly contact the Court to schedule a settlement conference:	January 6, 2025
Deadline to file Opening Trial Briefs:	February 7, 2025
Deadline to file Responsive Trial Briefs:	February 28, 2025
Deadline to file proposed findings of fact and conclusion of law:	March 14, 2025

WHEREAS, on November 21, 2024, the parties jointly contacted the Court by email, explaining that due to the holidays and briefing schedule in the matter, they were requesting a settlement conference for early January 2025. The parties provided three dates in early January 2026 for the Court's consideration.

WHEREAS, by email dated November 21, 2024, Ms. Wendy Kusamura, Courtroom Deputy for the Honorable Sheila K. Oberto, responded to the parties' email, and advised that the Court was not available in December 2024, or January 2025, and that the next available dates on the Court's calendar to schedule a settlement conference were February 4, 6, or 27, 2025.

WHEREAS, by email dated November 22, 2024, the parties requested that the Court reserve February 27, 2024, for a settlement conference in the case, which was the only date all parties and counsel were available.

WHEREAS, by Minute Order dated November 22, 2024, the Court set a Settlement Conference for February 27, 2025, at 10:30 a.m. in Courtroom 7 before Magistrate Judge Sheila K. Oberto.

WHEREAS, the parties have met and conferred, and agree that to reduce the use of Court resources and in the interest of judicial economy, the briefing schedule ordered by the Court on May 7, 2024, and summarized above, should be amended and continued out at least one month from the date of the February 27, 2025, Settlement Conference, so that the parties may participate in the conference, before the preparation and filing of trial briefs, the fees and costs of which may

be avoided if the parties settle the matter on February 27, 2025.

THEREFORE, based on the good cause summarized above, the parties hereby stipulate and request that the Court enter an order continuing the briefing and trial schedule in this action and modifying the Scheduling Order (Doc. 14) entered on May 7, 2024, as follows:

<u>Event</u>	<u>Previous Deadline</u>	<u>New Deadline</u>
Deadline to file Opening Trial Briefs:	February 7, 2025	March 28, 2025
Deadline to file Responsive Trial Briefs:	February 28, 2025	April 18, 2025
Deadline to file proposed findings of fact and conclusion of law:	March 14, 2025	May 2, 2025
Court Trial	April 1, 2025	May 20, 2025

IT IS SO STIPULATED.

Dated: November 26, 2024

By: /s/ Raquel M. Busani
RAQUEL M. BUSANI,

Attorney for Plaintiff,
Kathleen L. Garcia

Dated: November 26, 2024

MAYNARD NEXSEN LLP

By: /s/ Misty A. Murray
MISTY A. MURRAY
Attorneys for Defendant
Metropolitan Life Insurance Company

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ORDER

The Court, having reviewed the foregoing Stipulation (Doc. 18), finds good cause to continue the trial briefing schedule in this action and modify the Scheduling Order (Doc. 14) entered on May 7, 2024, as follows:

<u>Event</u>	<u>Previous Deadline</u>	<u>New Deadline</u>
Deadline to file Opening Trial Briefs:	February 7, 2025	March 28, 2025
Deadline to file Responsive Trial Briefs:	February 28, 2025	April 18, 2025
Deadline to file proposed findings of fact and conclusion of law:	March 14, 2025	May 2, 2025
Court Trial	April 1, 2025	May 27, 2025

IT IS SO ORDERED.

Dated: **November 27, 2024**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE